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FISCAL IMPACT STATEMENT

LS 6967

BILL NUMBER: HB 1595

NOTE PREPARED: Mar 26, 2007

BILL AMENDED: Mar 20, 2007

SUBJECT: Northwestern Indiana Regional Planning Commission.

FIRST AUTHOR: Rep. Dobis

FIRST SPONSOR: Sen. Heinold

BILL STATUS: As Passed Senate

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: Local

Summary of Legislation: (Amended) *NIRPC Board:* The bill allows weighted voting to continue to be used by the Northwestern Indiana Regional Planning Commission (NIRPC) after June 30, 2007. It expands the NIRPC Executive Board from eight members to 11 members. The bill provides that the immediate past chairperson of NIRPC shall serve as a nonvoting member of the Executive Board, if that individual is not otherwise a member of the Executive Board.

County Funding Contributions to NIRPC: The bill provides that a participating county's share of NIRPC's budget may also be paid from any local revenue other than property taxes. (Current law allows the participating counties' shares to be paid from property taxes.)

NIRPC Debt Authority: The bill authorizes NIRPC to make loans or issue notes. Requires a loan or notes to mature in the calendar year in which the loan is made or the notes are issued. Provides that the total amount of all outstanding loans and notes in a particular year may not exceed the total amount of the NIRPC budget apportioned to participating counties for that year.

Advisory Plan Commission Joinder Agreement: The bill changes the membership of a plan commission operating under a joinder agreement in a certain county. It provides that the joinder agreement expires if a township that is a part of the joinder agreement is completely annexed by the municipality subject to the joinder agreement. It also allows the municipality to terminate the joinder agreement if: (1) the municipality adopts an ordinance terminating the agreement; (2) the municipality conducts a public hearing; and (3) the municipal executive provides written notice to the township executive of the township subject to the joinder agreement that states the reason for terminating the joinder agreement.

Effective Date: (Amended) July 1, 2007; December 31, 2007; January 1, 2008.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) *NIRPC Debt Authority:* The bill authorizes the Northwest Indiana Regional Planning Commission (NIRPC) to make loans and issue notes to obtain money to pay current operating expenses in anticipation of the appropriation budget of NIRPC apportioned to Lake County, LaPorte County, and Porter County. A loan or note of the NIRPC must mature in the same calendar year that it is made or issued. In addition, the bill prohibits the total amount of outstanding loans or notes in a particular calendar year from exceeding the appropriation budget of NIRPC that is paid by Lake County, LaPorte County, and Porter County. The resolution by the NIRPC to make a loan or issue notes must specify various information, including the term, interest rate, and the funds or sources of funds for payment of the loan or notes. The bill requires that loans and notes of the NIRPC are not an indebtedness of the state and constitute a corporate obligation solely of the NIRPC.

NIRPC Board: The bill makes three changes with respect to the Northwest Indiana Regional Planning Commission Board.

(1) The bill eliminates the June 30, 2007, expiration date for the weighted voting scheme authorized under current statute for the NIRPC Board.

(2) The bill increases the voting membership of the NIRPC Board by three members, one each from Lake County, LaPorte County, and Porter County.

(3) The bill requires the immediate past chairperson of the NIRPC Board to be a nonvoting member if this person is not serving as member of the Board.

The latter two changes would impact Board operating expenditures as Board members may be reimbursed for expenses relating to the performance of their duties. Under current statute unchanged by the bill, Board members must serve without salary.

Advisory Plan Commission Joinder Agreement: The bill could affect a joinder agreement to operate a plan commission between the Town of Westfield and Washington Township (Hamilton County). A joinder agreement between Westfield and Washington Township would be terminated if Westfield were to annex the entire area of Washington Township. The joinder agreement for operation may also be terminated if Westfield adopted an ordinance to terminate the joinder agreement.

The bill also changes the appointment authority of some of the commission members, however, the bill does not change the total number of members allowed by law.

Background: Westfield most recently filed annexation order documents with the Office of Census Data in December of 2002, for annexations occurring between December 2001 and October 2002.

The bill would expire the terms of Westfield Plan Commissioners, appointed before January 1, 2008, on December 31, 2007. Two commissioners have terms that are to expire after December 31, 2007. Five commissioners' terms expired December 31, 2006. Westfield currently expends approximately \$9,540 per

year for plan commission salaries.

Explanation of Local Revenues: *County Funding Contributions to NIRPC:* The bill allows Lake County, LaPorte County, and Porter County to pay their shares of the NIRPC annual appropriation budget with any other local revenue instead of property tax revenue, including revenue from local option income tax, excise tax, riverboat admission tax, riverboat wagering tax, riverboat incentive payments, and any funds received from the state that may be used for purposes of NIRPC. Under current statute, the county shares must be paid only from property taxes. This change simply provides each county with alternatives for payment of contributions to the NIRPC.

State Agencies Affected:

Local Agencies Affected: Northwest Indiana Regional Planning Commission, Lake County, LaPorte County, and Porter County. Town of Westfield Area Plan Commission

Information Sources: www.westfield.in.gov; www.co.hamilton.in.us; Town of Westfield, 896-5570; Hamilton County Plan Commission, 776-8490; DeLorme's Indiana Atlas & Gazetteer, Third Edition.

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